

Remarks

The Amendments

Claim 7 has been amended to recite that “the isolated and purified TFPI is free of mammalian proteins.” The amendment is supported by originally filed claim 7, which recites that TFPI is made by a method that employs yeast cells, and the entire specification, which discloses TFPI isolated and purified from yeast.

Thus the amendment introduces no new matter. The amendment was not made earlier because applicants believed that the arguments presented in the response to Office Action mailed February 21, 2003 were sufficient to overcome the rejections.

The Rejection of Claims 7 and 12-14 Under 35 U.S.C. § 102(b)

Claims 7 and 12-14 are rejected under 35 U.S.C. § 102(b) as being anticipated by Wun *et al.* (*Thrombosis and Haemostasis* 68(1):54-59) or Nordfang *et al.* (*Biochemistry* 30(43):10371-10376). Applicants respectfully traverse.

To reject a claim as anticipated, a reference must teach exactly the same invention as is recited in a claim. “The identical invention must be shown in as complete detail as is contained in the . . . claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989).

Wun and Nordfang are each cited as teaching TFPI that is expressed in and purified from mammalian cells and that has the same activity as the TFPI recited in claim 7. (Paper 12, page 4, lines 3-4.) Applicants believe that TFPI expressed in and purified from the mammalian cell lines taught by Wun and Nordfang, or any mammalian cell line, comprises contaminating mammalian proteins. Amended claim 7, however, recites an isolated and purified TFPI that “is free of

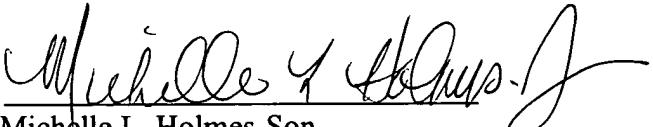
mammalian proteins.” Neither Wun nor Nordfang teaches such an isolated and purified TFPI.

Thus neither Wun nor Nordfang teaches the isolated and purified TFPI recited in claim 7.

Applicants respectfully request withdrawal of this rejection to claims 7 and 12-14.

Respectfully submitted,

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